

Permitting & Assistance Branch Staff Report

Revised Solid Waste Facilities Permit for the
Antelope Valley Public Landfill
SWIS No. 19-AA-5624
October 20, 2011

Background Information, Analysis, and Findings:

This report was developed in response to the Los Angeles County, Department of Public Health, Local Enforcement Agency's (LEA) request for the Department of Resources Recycling and Recovery (Department) concurrence on the issuance of a proposed revised Solid Waste Facilities Permit (SWFP) for the Antelope Valley Public Landfill, SWIS No. 19-AA-5624, located in Los Angeles County and owned and operated by the Antelope Valley Recycling & Disposal Facility, Inc. A copy of the proposed permit is attached. The report contains Permitting & Assistance Branch staff's analysis, findings, and recommendations.

The proposed permit was initially received on September 1, 2011. Another permit was received on September 28, 2011 and on October 24, 2011. Action must be taken on this permit no later than December 23, 2011. If no action is taken by December 23, 2011, the Department will be deemed to have concurred with the issuance of the proposed revised SWFP.

Proposed Changes

The following changes to the permit are being proposed:

	Current Permit (1997)	Proposed Permit
Name of Facility	Antelope Valley Public Landfill II	Antelope Valley Public Landfill
Hours of Operation	Landfill and Ancillary Operations: Monday–Sunday, 5:00 A.M. to 10:00 P.M. Receipt of Refuse: Monday – Sunday, 6:00 A.M. to 5:00 P.M.	Ancillary Operations/ Facility Operating Hours: Monday – Saturday, 5:00 A.M. to 10:00 P.M. Receipt of Refuse/Waste: Monday – Saturday 6:00 A.M. to 8:00 P.M.
Maximum Tonnage	Non-hazardous – Refuse 1800 Tons per day	3,564 Tons per day (TPD) Refuse/Waste for Disposal 1,800 Tons per day Materials for Recyclable and Beneficial Use 1,764 Tons per day
Permitted Area (Acres)	75 (Disposal – 54)	185 (Disposal – 125)
Remaining Capacity (cu. Yards)	8,206,000* (See Condition #C-2)	20.4 million** (See Page 6, LEA Condition 17.C. Specification details)
Maximum Elevation (ft. MSL)	3,140* (See Condition #C-4)	3,200** (See Page 6, LEA Condition 17.C. Specification details)
Estimated Closure Date	2008* (See Condition #C-3)	2042** (See Page 6, LEA Condition 17.C. Specification details)

Findings	<p>a. This Permit is consistent with the Countywide Solid Waste Management Plan Triennial Review, Volume I: Nonhazardous Waste, March 1984 and Revision A, August 1985. A Finding of Conformance was approved on April 20, 1995 by the Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force. [Public Resources Code (PRC), Section 50000 (a)(1)].</p> <p>b. This Permit is consistent with standards adopted by the California Integrated Waste Management Board (CIWMB). [PRC, Section 44010].</p> <p>c. The design and operation of the facility is in compliance with the State Minimum Standards for Solid Waste Handling and Disposal as determined by the Local Enforcement Agency (LEA) upon review of the Report of Disposal Site (RDSI), dated March 1994 (revised December 1996), for this initial permit.</p> <p>d. The local fire protection agency, the Los Angeles County Fire Prevention Bureau, has determined that the facility is in conformance with applicable fire standards as required in PRC, Section 44151.</p> <p>e. The County of Los Angeles Department of Regional Planning has made a written determination (CUP No. 85512-(5) granted April 8, 1992 and amended by CUP No. 93041-(5) granted December 1, 1993) that the facility is consistent with, and designated in, the County's General Plan [PRC, Section 50000.5 (a)] and that surrounding land use is compatible with the facility operation. [PRC 50000.5 (b)]</p>	<p>a. This permit is consistent with the Los Angeles Countywide Integrated Waste Management Plan, which was approved by the Department of Resources Recycling and Recovery (CalRecycle) on June 23, 1999. The location of the facility is identified in the Countywide Siting Element, pursuant to Public Resources Code (PRC) Section 50001 (a).</p> <p>b. This permit is consistent with the standards adopted by CalRecycle, pursuant to PRC 44010.</p> <p>c. The design and operation of the facility is consistent with the State Minimum Standards for Solid Waste Handling and Disposal as determined by the Local Enforcement Agency (LEA), pursuant to PRC 44009.</p> <p>d. The local fire protection agency, the Los Angeles County Fire Department, has determined that the facility is in conformance with the applicable fire standards, pursuant to PRC Section 44151.</p> <p>e. An Environmental Impact Report (EIR) was filed with State Clearing House (SCH) and certified by the City of Palmdale on May 12, 2011. The EIR (SCH #1990010988) is consistent with and supports this permit and JTD.</p> <p>f. A Finding of Conformance with the Los Angeles County Countywide Integrated Waste Management Plan, in accordance with the requirements of Chapter 10 of the Los Angeles County Countywide Siting Element (siting Element), was approved in spring 1997 by the Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force. The Siting Element was approved by Los Angeles County Board of Supervisors in June 1997.</p> <p>g. The City of Palmdale Planning Commission has found the landfill operation to be consistent with the City of Palmdale General Plan. A conditional Use Permit (CUP) No. 98-12 was approved by the commission on June 9, 2011.</p> <p>h. This permit does not supplant or modify local land use entitlements or local agencies' authority to enforce local entitlements. It is recognized by the LEA that the operator must comply with the provisions of the Integrated Waste Management Act (IWMA), state regulations and terms and conditions of this permit as well as other regulatory requirements and applicable local land use measures which</p>
----------	---	--

		govern the operator's activities at the site. If the requirements inadvertently overlap, it is expected that the operator will comply with the more stringent requirement in order to maintain compliance. Non-compliance with another agency requirement may not constitute a violation of this permit, the IWMA, or state regulations.
Prohibitions	<p>The permittee is prohibited from accepting the following wastes:</p> <p>Hazardous wastes, designated wastes, medical wastes (as defined in Chapter 6.1, Division 20 of the Health and Safety Code), or liquid wastes.</p> <p>Scavenging by employees is not permitted.</p>	<p>a. The permittee is prohibited from accepting the following wastes: hazardous, radioactive, medical (as defined in Title 22, California Code of Regulations, Section 117600-118360 of the Health and Safety Code/Chapter 6.1 Division 20 of the Health and Safety Code), liquid, designated, or other wastes requiring special treatment or handling, except as identified in the Joint Technical Document (JTD) and approved amendments thereto, and as approved by the enforcement agency and other federal, state, and local agencies.</p> <p>b. Scavenging is not permitted by customers or employees at the site.</p>
Documents	<p>Report of Disposal Site Information – 03/94 (revised 12/96)</p> <p>Conditional Use Permit No. 85512-(5), amended – 04/08/92</p> <p>Conditional Use Permit No. 93041-(5) – 12/01/93</p> <p>Environmental Impact Report (SCH No. 90010988) – 04/08/92</p> <p>Mitigated Negative Declaration (increase tonnage to 1800 per day – SCH No. 93091027) – 12/02/93</p> <p>Mitigated Negative Declaration (Alternative Daily Cover – SCH No. 95081012) – 11/02/95</p> <p>Waste Discharge Requirements, Order No. 6-95-1 – 01/12/95</p> <p>Preliminary Closure/PostClosure Maintenance Plans – 07/13/96</p> <p>Closure/Postclosure Financial Responsibility Document (Trust Fund) approved by CIWMB – 01/13/97</p> <p>South Coast Air Quality Management District Exemption from District Rule 1150.1 (c) and (d) except Section (c)(6) – 12/01/92 (valid for two years after opening)</p> <p>Certificate of Operating Liability Insurance approved by CIWMB – 01/20/97</p>	<p>Joint Technical Document – October 2010 Revised June 2011</p> <p>Certified Environmental Impact Report SCH #1990010988 – May 12, 2011</p> <p>Conditional Use Permit No.98-12 – June 9, 2011</p> <p>Waste Discharge Requirements Order No. 6-95-1 – January 12, 1995 (Revision pending)</p> <p>Financial Assurance Mechanism – Pending</p> <p>Operating Liability Certification – August 18, 2010</p>

<p>LEA Conditions</p>	<ol style="list-style-type: none"> 1. The operator shall comply with all the State Minimum Standards for solid waste handling and disposal. 2. The operator shall comply with all federal, state, and local requirements and enactments, including all mitigation measures given in any certified environmental document filed pursuant to Public Resources Code, Section 21081.6. 3. The operator shall notify the LEA, in writing, of any proposed changes in the routine facility operation or changes in facility design. In no case shall the operator undertake any changes unless the operator first submits to the LEA a notice of said changes at least 150 days before said changes are undertaken. The LEA is to determine the significance of the change and to make any necessary permit changes. 4. The operator or owner shall notify the LEA of any plans to encumber, sell, transfer, or convey the ownership or operations to a new owner or operator, at least <u>45 days prior to the anticipated transfer</u>, by written certification and including information deemed sufficient by the CIWMB and the LEA. If the facility will not be operated in compliance with the terms and conditions of this permit, the new owner shall be required to file an application for a revision or modification of this permit (PRC § 44005). 5. Additional information concerning the design and operation of this facility shall be furnished on request of the Enforcement Agency's personnel. 6. The operator shall maintain a log of special/unusual occurrences. The log shall include, but not be limited to, fires, explosions, discharges of unusual wastes, significant accidents and injuries, and property damage. Include a summary of the actions taken to mitigate the occurrence. The operator shall maintain this log at the facility so as to be available at all times to site personnel and to the Enforcement Agencies' personnel. Any entries made in this log must be reported to the LEA <u>at once</u>. Call the duty officer, County of Los Angeles, Department of Health Services, Solid Waste Management Program at (213) 881-4151. 	<p>A. Standard Requirements:</p> <ol style="list-style-type: none"> 1. This facility shall comply with all applicable State Minimum Standards for Solid Waste Handling and Disposal as specified in Title 27 California Code of Regulations (27 CCR). 2. The operator shall provide to the LEA, within the time specified, and additional information concerning the design and operation of this facility upon request by the LEA personnel. 3. A copy of this permit and current JTD, as amended, shall be maintained at the facility so as to be available at all times to facility personnel and the LEA. 4. The operator shall maintain a log of special occurrences. The log shall include, but is not limited to, fires, landslides, earthquake damage, unusual and sudden settlement, injury, property damage, accidents, explosions, receipt or rejection of non-permitted wastes, flooding, operational shutdowns and other unusual occurrences. Each log entry shall be accompanied by a summary of any actions taken to mitigate the occurrences. The operator shall maintain this log at the facility so as to be available at all times to the facility personnel and the LEA. Any entries of special or unusual occurrences made in this log must be reported to the LEA immediately. Call the duty officer, County of Los Angeles, Department of Public Health, Solid Waste Management Program at (626) 430-5540. 5. Notification to the LEA within 24 hours is required for any written complaints received or any complaint called into the facility, and any record of receipt of a violation from any regulatory agency. 6. This permit is subject to review by the LEA and may be suspended, revoked or revised at any time for sufficient cause. 7. The LEA reserves the right to suspend or modify waste receiving operations when deemed necessary due to an emergency, a potential health hazard, or the creation of a public nuisance. 8. The maximum permitted daily tonnage for this facility is 3,564 tons per day and shall not receive more than this amount without a revision of this permit. 9. The operator shall notify the LEA, in writing, of any proposed changes in the routine
-----------------------	---	---

	<p>7. The operator shall maintain a copy of this permit at the facility so as to be available at all times to facility personnel and to Enforcement Agencies' personnel.</p> <p>8. This permit is subject to review by the LEA and may be suspended, revoked or modified at any time for sufficient cause.</p> <p>9. The LEA reserves the right to suspend or modify waste receiving operations when deemed necessary due to an emergency, a potential health hazard or the creation of a public nuisance.</p> <p>10. Operational controls shall be established to preclude the receipt and disposal of volatile organic chemicals or other types of hazardous or prohibited wastes:</p> <p>A. The operator shall install and maintain an operational, calibrated Geiger counter at the scales to detect radioactive materials, at all times, during the hours of receipt of refuse.</p> <p>(1) Incidents of receipts of suspected radioactive materials, or warnings from the radiation monitoring equipment, shall be reported immediately to the Los Angeles County Department of Health Services, Radiation Management Program at (213) 738-4059 and the LEA.</p> <p>B. The operator shall conduct a waste load checking program as described in the Report of Disposal Site Information (RDSI) dated 3/94 (revised 12/96). A generator identification number has been obtained: <u>CAD903684046</u>. The following Solid Waste Facility Permit conditions supplement the RDSI program:</p> <p>(1) The minimum number of random waste loads to be inspected daily at this landfill is two (2).</p> <p>(2) During the hours of operation, an attendant or attendants shall be present at all times to supervise the loading and unloading of the waste material. The active working face shall be under continual visual inspection by landfill personnel, including spotters,</p>	<p>facility operation or changes in facility design during the planning stages. In no case shall the operator implement any changes without first submitting a written notice of proposed changes to the LEA <u>at least 180 days</u> before said changes are implemented. Any significant change as determined by the LEA would require a revision of this permit.</p> <p>10. The operator and/or owner shall notify the LEA of any plans to encumber, sell, transfer, or convey the operation or ownership to a new operator or owner, <u>at least 45 days</u> prior to the anticipated transfer, by written certification, including information deemed sufficient by the CalRecycle and the LEA. If the facility will not be operated in compliance with the terms and conditions of this permit, the new owner shall be required to file an application for a revision of this permit.</p> <p>11. The operator shall provide training to landfill personnel to educate them in the identification of untreated medical waste as well as the proper action to take if this type of waste is received at the facility.</p> <p>B. Particular Requirements:</p> <p>1. Operational controls shall be established to preclude the receipt and disposal of hazardous and prohibited wastes:</p> <p>a. The operator shall install and maintain operational and properly calibrated radiation monitors at the scales to detect radioactive materials at all times during the receipt of all incoming waste materials to the facility.</p> <p>Incidents of receipt of suspected radioactive materials, or warnings from the radiation detector, shall be reported immediately to the County of Los Angeles, Department of Public Health, Radiation Management Program at (213) 351-7897 and the LEA.</p> <p>b. The operator shall comply with the approved Hazardous Waste Load Checking Program as described in the current JTD to identify and segregate for proper handling of the prohibited waste and materials. Any changes in this program must be approved by the LEA prior to implementation. The following conditions supplement the Load Checking Program:</p> <p>(1) If the waste vehicle loads are to be randomly inspected, a minimum of one (1) load per every 500 tons of waste and its portion thereof received at the facility per</p>
--	---	--

	<p>equipment operators and supervisors for evidence of hazardous materials. Employees performing these duties shall be trained and new employees shall be trained prior to work assignment.</p> <p>(3) Incidents of unlawful disposal of illegal hazardous materials shall be reported to the Duty Office, Los Angeles County Fire Department, Health Hazardous Materials Division at (213) 890-4045.</p> <p>11. Before the use of any alternative daily cover (ADC), as allowed under all applicable laws and regulations, the operator shall submit copies of the project description to the LEA and the CIWMB for review and approval. Upon successful completion of an approved ADC pilot project and upon concurrence by the LEA and the CIWMB, the operator may commence with ongoing non-experimental ADC use.</p> <p>12. The operator shall comply with the provisions of 14 CCR, § 17258.21 (Cover Material Requirements).</p> <p>13. When using synthetic fabric as daily cover, all mitigation measures included in the Alternative Daily Cover project Negative Declaration (SCH No. 95081012) must be met.</p> <p>14. The methane gas monitoring program shall proceed and the self-monitoring reports shall be submitted to the LEA by the operator. The operator shall comply with the provisions of 14 CCR, § 17258.23 (Explosive Gases Control) and § 17258.24 (Air Criteria).</p> <p>15. The operator will install perimeter landfill gas monitoring probes in compliance with all regulations and at the direction of the LEA.</p> <p>16. The operator shall maintain adequate records regarding length and depth of cuts made in natural terrain where fill is placed, together with the depth to the groundwater table. The operator shall maintain, at the facility, accurate <u>daily</u> records of the weight and/or volume of refuse received. These records shall be available to the LEA's personnel and to</p>	<p>operating day should be inspected. The operator shall inspect all waste vehicle loads if there is any reason to believe the loads may contain prohibited wastes.</p> <p>(2) The LEA may increase the required number of load checking if it has reason to believe that the number currently required is inadequate to ensure compliance with the regulations and protection of the public health and safety, and the environment.</p> <p>(3) The records of load checks and the training of personnel in the recognition, proper handling, and disposition of prohibited waste shall be included in the load checking program. A copy of the load checking program and copies of the load checking records for the last year shall be maintained in the operating record and be available for review by the LEA and other appropriate regulatory agencies.</p> <p>(4) At all times when facility operations are underway, an attendant or attendants shall be present to supervise the loading and unloading of solid waste and other materials. All active working faces shall be under continual visual inspection by facility personnel, such as spotters, equipment operators, and supervisors. Facility personnel and new employees performing duties required by the Load Checking Program shall be trained prior to assignment. Facility personnel are to be retrained on an annual basis and updated as necessary.</p> <p>(5) Incidents of unlawful disposal of prohibited materials shall be reported to the LEA monthly as described in the monitoring section of this permit. In addition, the following agencies shall be notified immediately of any incidents of unlawful disposal of prohibited or hazardous materials:</p> <p>(a) Duty officer, Los Angeles County Fire Department, Health Hazardous Materials Division at (323) 890-4045.</p> <p>(b) Environmental Crimes Division, Los Angeles County District Attorney's Office at (213) 580-8777.</p> <p>(c) California Highway Patrol at (800) 835-5247 or (818) 240-8200.</p> <p>(d) California Department of Public</p>
--	---	---

	<p>the CIWMB's personnel and shall be maintained for a period of at least one year.</p> <p>17. The LEA reserves the right to require the operator to provide more stringent dust control measures, if the proposed dust control system proves inadequate or ineffective.</p> <p>C. Specifications:</p> <p>1. The net tonnage of waste disposed in the landfill on any given operating day shall not exceed <u>1800</u> tons of non-hazardous solid waste. This maximum daily tonnage does not include clean dirt for cover or slope fill or waste processed and put to beneficial use on the landfill or separated or otherwise diverted from the waste stream and exported from the landfill for the purpose of recycling. There is no maximum limit on such non-disposed wastes processed at the facility. The traffic study conducted for the Mitigated Negative Declaration of December 2, 1993 assessed the impacts of a total waste stream of 3564 tons per day.</p> <p>2. The design capacity of 8.2 million cubic yards [specified on page 1, section 5(e) of this permit] represents an estimate of the permitted site capacity, inclusive of refuse and daily cover and exclusive of bottom liner and final cover.</p> <p>3. The anticipated closure date (2008) is based on calculations using figures in Vol. II, Appendix C of the March 1994 (revised December 1996) RDSI. These calculations assume the maximum daily tonnage of 1800 tons of refuse, a 1:9 cover to refuse ratio, 305 days per year and a density of 1400 lb/cu yd. The site life is 9.4 years and the site is anticipated to start operating in 1999. The closure date may change depending on changes in calculation variables.</p> <p>4. The final elevation of the filled area shall not exceed 3140 feet above Mean Sea Level (MSL).</p> <p>5. The hours for the receipt of refuse shall be from 6:00 A.M. to 5:00 P.M., seven days a week. The hours for landfill and ancillary operations shall be from 5:00 A.M. to 10:00P.M., seven days a week to include but not be limited to site preparation and maintenance, the</p>	<p>Health (CDPH) Environmental Management Branch, Medical Waste Program at (213) 977-6877 or (213) 971-7379 for any receipt of untreated medical waste.</p> <p>Any prohibited or hazardous materials thus found shall be set aside in a secure area to await proper disposition following notification of the producer (if known) and the appropriate governmental agencies.</p> <p>2. The use of alternative daily cover (ADC) shall be limited to the materials as described in the current JTD and approved by the LEA.</p> <p>3. The LEA reserved the right to require the operator to provide more stringent nuisance control measures, and on-site and off-site litter controls, if those control measures identified in the current JTD prove to be inadequate or ineffective.</p> <p>4. The operator shall comply with Title 14 California Code of Regulations (14 CCR) Section 17383.3 for Construction & Demolition (C&D) wood debris as identified in the green and wood recovery operation section in the current JTD. The LEA reserves the right to reduce the storage time of these materials if the storage presents a health hazard or becomes public nuisance.</p> <p>5. Equipment repairs and mitigation measures necessary to avoid environmental impacts, and emergency operations, which cannot be accomplished during the permitted hours, may be performed at any time with prior written approval of the LEA.</p> <p>C. Specifications:</p> <p>1. The design capacity of 20.4 million cubic yards represents the estimated remaining permitted site capacity based on the last physical site survey conducted on April 14, 2011.</p> <p>2. The maximum elevation of 3,200 feet mean sea level (msl) refers to the final contour shown on the approved final fill design that is identified on the Drawing P6 in the current JTD.</p> <p>3. The estimated closure year is based on the information provided in the current JTD.</p>
--	--	---

	application of cover and the processing of refuse. Activities that require continuous operation (gas control) shall not be limited. The LEA reserves the right to extend these hours when it determines that this is necessary to handle emergency disposal or to allow for mitigation and emergency operations which cannot be accomplished during the regular hours.	
--	--	--

Findings:

Staff recommends concurrence in the issuance of the proposed revised SWFP. All of the required submittals and findings required by Title 27 of the California Code of Regulations (27 CCR), Section 21685 have been provided and made. Staff has determined that the California Environmental Quality Act (CEQA) requirements have been met to support concurrence. The findings that are required to be made by the Department when reaching a determination are summarized in the following table. The documents on which staff's findings are based have been provided to the Branch Chief with this Staff Report and are permanently maintained by the Permits and Certification Division.

27 CCR Sections	Findings	
21685(b)(1) LEA Certified Complete and Correct Report of Facility Information	The LEA provided the required certification in their permit submittal letter dated September 20, 2011.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(2) LEA Five Year Permit Review	A Permit Review Report was prepared by the LEA on April 6, 2011.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(3) Solid Waste Facility Permit	Staff received a proposed Solid Waste Facilities Permit on September 28, 2011.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685 (b)(4)(A) Consistency with Public Resources Code 50001	The LEA in their permit submittal package received on September 1, 2011, provided a finding that the facility is consistent with PRC 50001. Waste Evaluation & Enforcement Branch (WEEB) staff in the Jurisdiction Product & Compliance Unit found the facility is identified in the Countywide Siting Element and with the Countywide Integrated Waste Management Plan, as described in the memorandum dated October 6, 2011.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685 (b)(5) Preliminary or Final Closure/ Postclosure Maintenance Plans Consistency with State Minimum Standards	Engineering Support Branch staff in the Closure and Facility Engineering Unit found the Preliminary Closure/Postclosure Maintenance Plan is consistent with State Minimum Standards as described in their memorandum dated June 17, 2011.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685 (b)(7)(A) Financial Assurances Documentation Compliance	Permitting and Assistance Branch staff in the Financial Assurances Unit found the Financial Assurances documentation in compliance as described in their letter dated September 29, 2011.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

27 CCR Sections	Findings	
21685 (b)(7)(B) Operating Liability Compliance	Permitting and Assistance Branch staff in the Financial Assurances Unit found the Operating Liability in compliance as described in their letter dated September 29, 2011.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(8) Operations Consistent with State Minimum Standards	WEEB staff in the Inspections and Enforcement Agency Compliance Unit found that the facility was in compliance with all operating and design requirements during an inspection conducted on October 19, 2011. See compliance history below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(9) LEA CEQA Finding	The LEA provided a finding in their permit submittal package received on September 1, 2011, that the proposed permit is consistent with and supported by the existing CEQA documentation. See details below.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21650(g)(5) Public Notice and/or Meeting, Comments	The LEA participated in a public hearing for the CUP on April 14, 2011 pursuant to 27 CCR 21660.4 – Substitute Meeting. An additional public notice was distributed by the LEA on August 16, 2011. No oral or written comments were received by LEA or Department staff. See details below.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
CEQA Determination to Support Responsible Agency's Findings	The Department is a responsible agency under CEQA with respect to this project. Permitting and Assistance Branch staff has determined that the CEQA record can be used to support the Branch Chief's action on the proposed revised SWFP.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

The LEA proposes to issue a revised SWFP to consolidate separately permitted existing landfills, Antelope Valley Public Landfill I (SWIS Facility No. 19-AA-0009) and Antelope Valley Public Landfill II (SWIS Facility No. 19-AA-5624), into one contiguous permitted landfill. As a result, Facility No. 19-AA-0009 will be archived from the Solid Waste Information System Database, and all essential records and relevant information will be absorbed into Facility No. 19-AA-5624.

Compliance History:

WEEB staff in the Inspection and Enforcement Agency Unit conducted a pre-permit inspection on October 19, 2011. Staff found that the facility is in compliance with applicable state minimum standards and permit conditions.

During the last five years, the LEA has not noted a violation of State Minimum Standards or permit conditions for the Antelope Valley Public Landfill II, SWIS Facility No. 19-AA-5624.

The following is the compliance history for the Antelope Valley Public Landfill I, SWIS Facility No. 19-AA-0009:

From November 23, 2009, through May 27, 2010, the LEA noted seven consecutive monthly violations of 27 CCR, Section 20291 – Gas Monitoring and Control, for exceeding the five

percent by volume in air of methane limit for probe P-7. The LEA ordered the operator to take corrective action to mitigate the methane gas below the allowable limits. As a result, the operator installed additional wells and the LEA determined the facility to be in compliance with 27 CCR, Section 20291 in June 2010.

Environmental Analysis:

Under CEQA, the Department must consider, and avoid or substantially lessen where possible, any potentially significant environmental impacts of the proposed SWFP before the Department concurs in it. In this case, the Department is a Responsible Agency under CEQA and must utilize the environmental document prepared by the City of Palmdale, Planning Commission, acting as Lead Agency, absent changes in the project or the circumstances under which it will be carried out that justify the preparation of additional environmental documents and absent significant new information about the project, its impacts and the mitigation measures imposed on it.

The LEA proposes to issue a revised SWFP to consolidate separately permitted existing landfills, Antelope Valley Public Landfill I and II, into one contiguous permitted landfill. Under the proposed permit, the landfill boundary will be 185 acres, with 125 acres designated for disposal. The maximum daily intake of refuse and material for site activities will be 3,564 tons per day. The hours of waste acceptance will be 6:00 a.m. to 8:00 p.m. for all users. The estimated closure date will be extended to 2042.

An Environmental Impact Report (EIR), State Clearinghouse No. 1990010988, was circulated for a 45 day comment period from May 24, 2010 to July 7, 2010. The project analysis concluded that any physical environmental impacts caused by the project could be mitigated to less than significant levels with the implementation of the mitigation measures included in the Mitigation, Monitoring and Reporting Program. The EIR was adopted by the City of Palmdale, Planning Commission on May 12, 2011, and a Notice of Determination was filed with the State Clearinghouse on June 17, 2011.

The County of Los Angeles, Department of Public Health, Local Enforcement Agency (LEA), has provided a finding that the proposed revised SWFP is consistent with and supported by the cited environmental document.

Staff recommends that the Department, acting as a Responsible Agency under CEQA, utilize the environmental document as prepared by the Lead Agency in that there are no grounds under CEQA for the Department to prepare a subsequent or supplemental environmental document or assume the role of Lead Agency for its consideration of the proposed revised SWFP. Department staff has reviewed and considered the CEQA Findings adopted by the City of Palmdale Planning Commission.

Department staff further recommends the EIR, together with the CEQA finding, is adequate for the Branch Chief's environmental evaluation of the proposed project for those project activities which are within the Department's expertise and/or powers, or which are required to be carried out or approved by the Department.

The administrative record for the decision to be made by the Department includes the administrative record before the LEA, the proposed revised SWFP and all of its components and supporting documentation, this staff report, the EIR adopted by the Lead Agency, and other

documents and materials utilized by the Department in reaching its decision on concurrence in, or objection to, the proposed revised SWFP. The custodian of the Department's administrative record is Dona Sturgess, Legal Office, Department of Resources Recycling and Recovery, P.O. Box 4025, Sacramento, CA 95812-4025.

Local Issues:

The project document availability, hearings, and associated meetings were extensively noticed consistent with the SWFP requirements. A review from the public process indicates that environmental justice issues were not identified by the surrounding community (Census Tract 9104.01). 2000 (or 2010) census information indicates that the surrounding population is approximately 46.8% White, 13.7% African American, 4.2% Asian, 0.6% American Indian and Alaska Native, 0.1% Native Hawaiian and Other Pacific Islander, 30.8% some other race, and 3.8% two or more races. 52.8% of the total population describe themselves as Hispanic or Latino. 14.6% of the families are below the poverty level. Staff has not identified any local issues related to this item. Staff finds the project and permit process to be consistent with Government Code Section 65040.12, as there has been fair treatment of people of all races, cultures, and incomes with respect to the proposed action being recommended above.

Public Comments:

The LEA participated in a public meeting regarding the Conditional Use Permit on April 14, 2011, at the City Hall Council Chamber, located at 83300 Sierra Highway, in the City of Palmdale. The LEA met the criteria pursuant to 27 CCR, Section 21660.4 for a substitute informational meeting. No oral or written comments were received and no questions were raised at this public meeting. On August 16, 2011, the LEA distributed a public notice regarding the proposed permit, and presented options for the public to submit additional comments. No written comments were received by the LEA or Department staff at the time of the meeting.

On October 18, 2011, CalRecycle staff received a written public comment regarding the maximum permitted tonnage for the facility. The commenter suggested a revision to condition 17.A.8 in order to avoid any conflict or confusion between condition 4.C. CalRecycle staff forwarded the public comment to the LEA for their consideration. Subsequently, the LEA decided not to revise the condition, since the LEA determined that the maximum tonnage information is clearly stated on the first page of the proposed permit.

The Department staff provided an opportunity for public comment during the CalRecycle Monthly Public Meeting on October 18, 2011.

Department Staff Actions:

Staff has worked with the LEA throughout the permit process by providing comments on permitting documents and attended the public meeting where the project was discussed.